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Security Council

Distr.
GENERAL

S/22911
8 August 1991
ENGLISH
ORIGINAL: SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3001st meeting of the Security Council, held on 8 August 1991, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

By adopting resolution 702 (1991), the Security Council has taken another step towards the completion of a political process in exercise of one of the most important functions entrusted to it under the Charter of the United Nations, namely, to make recommendations to the General Assembly regarding the admission of new members to the Organization.

The applications of the Democratic People's Republic of Korea and the Republic of Korea have been considered and unanimously approved by the Security Council. The aspirations of the peoples and Governments of the Democratic People's Republic of Korea and the Republic of Korea have harmoniously coincided. That is why the Security Council decided to consider and take a simultaneous decision on the admission of both parts of the Korean Peninsula to membership in the world Organization.

This is a historic occasion for the Democratic People's Republic of Korea, the Republic of Korea, the Asian continent and the world community of nations.

There can be no doubt that the Security Council's recommendation to the General Assembly advances and underscores the Organization's goal of universality. I am certain that, as new members of our Organization, the Democratic People's Republic of Korea and the Republic of Korea will contribute positively to efforts to enhance the effectiveness of the work of the United Nations and strengthen respect for its purposes and principles.

The admission of the Democratic People's Republic of Korea and the Republic of Korea will also reduce tensions in the region, create a favourable atmosphere for and facilitate the promotion of confidence-building measures in their bilateral relations and provide them with an appropriate forum in which to consider the many things they have in common and to overcome the few remaining obstacles to their unification.

We have recently seen how countries that were once adversaries have found the necessary strength to put aside their differences in favour of their shared interest in promoting the well-being of their peoples and of the world in general. We are living in an age in which mankind seems to be regaining its senses. We can begin the next millennium in a more optimistic spirit. In the positive atmosphere resulting from the end of the cold war, we note with great satisfaction a new manifestation of constructive understanding: the recommendation, adopted by the Security Council, that the Democratic People's Republic of Korea and the Republic of Korea become members of the world Organization.

I wish to conclude by saying that, in my capacity as President of the Council and on behalf of all its members, I am on this historic occasion deeply honoured to address these words of congratulation to the Democratic People's Republic of Korea and to the Republic of Korea.

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Security Council

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S/22912
8 August 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 7 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith the observations and comments of the Iraqi side concerning the report on the third International Atomic Energy Agency (IAEA) on-site inspection in Iraq, issued as Security Council document S/22837.

I should be grateful if you would arrange to have the text of this letter and its annex circulated among the parties having an interest in the aforementioned Security Council document.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

[Original: English]

Comments on the "Report on the third IAEA on-site inspection in Iraq under Security Council resolution 687 (1991)"

It is important to point out the following facts and comments relevant to the Report on the third IAEA on-site inspection in Iraq under Security Council resolution 687 (1991) document S/22837 of 25 July 1991.

1. SALIENT POINTS

Para 3 The statement "The primary aims were stated to be development of ... nuclear power program".

should read as follows:

"The primary aims were stated to be to participate in the development of the country's scientific and technological infrastructure ..... nuclear power program".

Para 6 The statement "A layer of concrete which had ..... indeed been constructed for enrichment purposes".

should read as follows:

A layer of concrete which had been poured over a key component of the separators and the Iraqi side pointed it out as proof of the number of separators installed. The team then requested its removal and was able to confirm that the installation in question had indeed been constructed for enrichment purposes and only eight separators had been installed and operated in the first line whilst another 17 were in the process of being installed in the second line and were never operated.

Para 8 The statement "on the basis of the design data ..... more uranium of a lower enrichment"

should be amended to the following:

the design data presented by the Iraqi side showed that the average monthly throughput of each 1,200 mm separator would have been 2.0 kg of uranium. Assuming the feed material is the tetrachloride of natural uranium, then approximately 14.5 gm of 235U would be transported to the light receiver pocket per month. This mass would be contained within 121 gm of product uranium if the design enrichment of 12% is achieved. The separator hall could accommodate up to a maximum of 70 x 1,200 mm separators in two lines (each line

could accommodate a maximum of 35 units). If all of these separators were installed and working up to the design specifications, they would have produced 102 kg of uranium enriched to 12% per year (this product would contain 12.2 kg of the isotope 235U).

Para 9 The statement "the facility at Ash-Sharqat had ..... completed, no separators had yet been installed."

should be amended to read as follows:

The facility at Ash-Sharqat had been originally intended as an alternate site to Tarmiya and since the Tarmiya site was completed first and the separators were installed at Tarmiya the Ash-Sharqat was abandoned as an EMIS site, it was later planned to utilize the site as a factory for the plastic coating of equipment. Most of the ..... no separators had been installed.

2. THE IRAQI ENRICHMENT PROGRAM

Para 4 The statement "Dr. Jafar noted ..... for the development of nuclear weapons."

This statement should be amended to read as follows:

"Dr. Jafar noted that a capability to produce highly enriched uranium could be a possible option after installing both the 1,200 mm and 600 mm separators."

3. URANIUM ENRICHMENT RESEARCH AND DEVELOPMENT AT AL-TUWAITHA

Research, development and testing of EMIS components were carried out in the Physics Building (80).

This should read as follows:

Research, development and testing of EMIS components were carried out in the Physics building (80) and in the first line of eight separator units in Tarmiya.

Please note: The title and contents of Para 7 should be changed accordingly.

Para 11 The statement "An eight separator system consisted of nine magnets had been installed in area A during January and February 1990".

This statement should read:

"An eight ..... in area A between February and September 1990".

Para 12 The statement " ..... This was removed at the team's request".

This statement should read as in the modification suggested in Para 6 of section (1) above "Salient Points".

Para 17 The statement "A second Facility, a replica of Tarmiya" should read "a second facility as an alternate to Tarmiya ..."

Final Note: Throughout the report it was mentioned that the design capacity of Tarmiya is up to 15 kg of highly enriched (93%) Uranium a year.

We would like to point out that the design throughput, if all 70 separators, were installed, 12.2 kg 235U per year, and proportionately higher depending on the actual enrichment produced, so we would suggest that this figure should be corrected throughout the report.

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GENERAL

S/22913
8 August 1991

ORIGINAL: ENGLISH

LETTER DATED 8 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, and further to our previous letters concerning the latest Iraqi violations of the terms of cease-fire, I have the honour to report 11 cases of such violations by Iraqi military from 8 July to 25 July 1991.

1. On 8 July 1991, at 1333 and 1418 hours, an Iraqi helicopter was observed violating Iranian airspace at the altitude of 25,000 and 30,000 feet at the GCs of NE 3625-4455 and 3615-4505.

2. On 16 July 1991, 20 Iraqi soldiers were observed constructing a bunker in NML at the GCs of N 101-723 on the map of Mehran.

3. On 16 July 1991, at 1100 hours, Iraqi forces were observed constructing an observation post in NML at the GCs of N 594-334 on the map of Kani-Sheikh.

4. On 16 July 1991, at 0840 hours, a number of Iraqi forces were observed digging a trench at the GCs of N 293-821 on the map of Nahr-e-Anbar.

5. On 18 July 1991, 12 Iraqi forces were observed constructing a bunker in NML at the GCs of N 538-247 on the map of Ghasr-e-Shirin.

6. On 18 July 1991, at 1600 hours, Iraqi forces kidnapped an Iranian soldier in the region of Gardno heights on the map of Ghasr-e-Shirin.

7. On 19 July 1991, at 0900 hours, Iraqi forces deployed a Dush-K at the GCs of N 429-049 on the map of Khosravi.

8. On 19 July 1991, at 1020 hours, nine Iraqi forces were observed constructing individual bunkers at the GCs of N 642-226 on the map of Ghasr-e-Shirin.

9. On 19 July 1991, at 0612 hours, a number of Iraqi forces were observed constructing a bunker at the GCs of N 29-82 on the map of Nahr-e-Anbar.

10. On 19 July 1991, at 1440 hours, 15 Iraqi forces were observed getting off an Iraqi vehicle at the GCs of N 893-034 on the map of Gotbeh mountain.

11. On 25 July 1991, 10 Iraqi forces were observed planting mines at the GCs of N 441-655 on the map of Naft-Shahr.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/22914
9 August 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 8 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Germany to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note SCPC/7/91 (4-1) dated 3 July 1991, has the honour to transmit the enclosed Report by the Federal Government of Germany on the Implementation of the Weapons Embargo against Iraq in accordance with paragraph 4 of Security Council resolution 700 (1991).

Annex

Report by the Federal Government on the implementation of the weapons embargo against Iraq in accordance with paragraph 4 of Security Council resolution 700 (1991)

In accordance with paragraph 4 of resolution 700 (1991) of the United Nations Security Council, all States are enjoined, in conjunction with section 8 of the Guidelines to Facilitate Full International Implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991) to report to the Secretary-General within 45 days on the measures undertaken to fulfil the commitments pursuant to paragraph 24 of Security Council resolution 687 (1991). The Federal Government submits herewith the corresponding report.

The measures called for by paragraph 24 of Security Council resolution 687 (1991) are specified in the Guidelines to Facilitate Full International Implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991) under nrs. 2 and 9. The following should be noted on these points in connection with German statutes on foreign trade and payments.

I. Coverage of the various categories of prohibited items and activities under German statutes on foreign trade and payment (nr. 2 of the Guidelines)

1. Ad nr. 2 a), i)

The group of products is covered by part I of the German export list, in particular by section A thereof and thus requires licensing for export.

Gaps in the list of goods cited under nr. 2 a), i) of the Guidelines are closed by means of the licensing requirement introduced in Section 5 c of the 14th Ordinance amending the Foreign Trade and Payments Ordinance of 11 March 1991. This stipulation means that the exportation of goods and documents for their production requires authorization if they are intended for construction or operation of a facility for exclusive or partial production, modernization, or maintenance of weapons, ammunition, or military equipment within the meaning of part I, section A of the export list or for installation in these items; if the purchaser, country of destination, or country in which the items are to be fitted is a country on the Country List H; and if the exporter is informed of this fact. On the Country List H are those countries which are particularly sensitive in terms of exports; Iraq is on the list.

2. Ad nr. 2 a), II) to IV)

As regards the group of goods cited here, it may be assumed that relevant substances, facilities, and components are fully subject to export licensing in accordance with German external economic law in keeping with the relevant international rules.

3. Ad nr. 2 b)

The extent to which the research, development and production facilities cited under this number are to be covered by the weapons embargo is subject to interpretation. The basic part of this equipment, however, is subject to control by way of the position 0018* cited under part I, section A of the German export list. A large part of the otherwise dual-use goods is subject to controls by way of the just cited new licensing requirement pursuant to section 5 c of the Foreign Trade and Payments Ordinance with the result that compliance with the stipulations of the United Nations embargo is to be expected.

4. Ad nr. 2 c)

In connection with this group of goods, it is to be presumed that the embargo catalogue pursuant to paragraph 24 of Security Council resolution 687 (1991) is enacted in German legislation on foreign trade and payments since the German provisions contain the international catalogue of goods to be controlled.

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* The following is covered under position 0018 of the German export list:

Facilities, parts of facilities, equipment and technology for the production of goods cited in part I, section A of this list as follows and the software particularly developed for such purposes:

(a) Production facilities specially designed or reoutfitted for the manufacture of the goods covered under part I, section A of this list as well as specially designed components for such facilities;

(b) Specially designed environment inspection facilities for testing the licensing and suitability of the goods covered under part I, section A of this list as well as the specially designed equipment for such facilities;

(c) Specific production technologies, even if the equipment in which the technologies is used is not covered;

(d) Specific technologies for design, installation of components, operation, maintenance and repair of entire production facilities, even if the components themselves are not covered.

5. Ad nr. 2 d)

The basic technologies of relevance for the embargo are to be found on the German export list, with the result that the exportation of such documents is subject to licensing. In addition, section 45 of the Foreign Trade and Payments Ordinance should be noted: subject to licensing is also the transfer - if not occurring in the form of the exportation of documents - of information, not generally available, on the production of certain sensitive goods and on certain sensitive technologies, technical data, and technical processes as well as the transfer of certain data-processing programs (software), not generally available, to foreigners resident in a country that is not a member of OECD.

6. Ad nr. 2 e)

Sensitive services are controlled in the Federal Republic of Germany on the basis of section 45 b of the Foreign Trade and Payments Ordinance amended by the 14th Ordinance to amend the Foreign Trade and Payments Ordinance of 11 March 1991. Subject to licensing according to the new version are services provided by residents and non-resident Germans, that are related to goods from part I, section A of the export list (weapons, ammunition and military equipment) if they are provided in a country that is not a member of OECD. Subject to licensing are further those services by residents and non-resident Germans related to rockets, components specially designed for such rockets, and specially developed computer programs; exceptions are projects of the European Space Organization and services provided in a EEC member State or in Australia, Canada, Japan, New Zealand, Norway, Turkey or in the United States of America.

This particular licensing requirement for services thus applies to Iraq. Services provided in its favour may be controlled in the sensitive areas.

II. Principles for the Application of the Embargo Provisions (nr. 9 of the Guidelines)

1. Ad nr. 9 a)

The prevention of circumvention exports has always been a particular problem for export controls. In addition to the possibility, within the framework of general prevention, to deter illegal exports by heavy penalties, the only other means of preventing such circumvention exports is examination of the final user of the exported product. This control of the final user is provided for in German statutes on foreign trade and payments. Since a similarity of the products to be controlled in all of the United Nations member countries is to be assumed, the present system is basically adequate. As a means to minimize circumvention exports, a restrictive export control policy vis-à-vis certain countries is also worthy of consideration. This particularly means that applications to export sensitive products to these countries are regularly rejected.

2. Ad nr. 9 b)

The German export list, in addition to the already cited part I, section A (weapons, ammunition and military equipment), also has a section C, in which the special dual-use goods are covered. The embargo provisions on these dual-use goods are consequently implemented in German statutes on foreign trade and payments in so far as the respective goods are covered by section C of the export list. Furthermore, there is a control of dual-use products by way of a new statute (section 5 c of the Foreign Trade and Payments Ordinance) that was introduced in March 1991.

3. Ad nr. 9 c)

This number contains guidelines for the exportation of goods and for the transfer of know-how and services. With regard to the exportation of goods, note should be taken of the comments in the previous paragraph. As regards services, mention should again be made here of the already cited section 45 b of the Foreign Trade and Payments Ordinance. With reference to the transfer of know-how, we again call attention to the already cited section 45 of the Foreign Trade and Payments Ordinance with its licensing requirement for the transfer of specific, not generally available, information.

4. Ad nr. 9 d)

German statutes on foreign trade and payments are familiar with final user controls in connection with sensitive products (section 17 of the Foreign Trade and Payments Ordinance), in particular in the form of a control by the exporter. Incidentally, this control is supplemented by a restrictive export control policy towards certain countries and companies for which there are reasons to believe that they might continue to provide Iraq with items subject to the embargo.

5. Ad nr. 9 e)

In relevant cases, compliance with this provision is guaranteed by suitable final user controls.

6. Ad nr. 9 f)

The legal basis underlying this number of the embargo Guidelines may already be found in German statutes on foreign trade and payments. The customs authorities, who are responsible for controlling freight, post and transport, may examine goods intended for export at any time and, if necessary, seize such goods for closer inspection (sections 42, 44 and 46 of the Foreign Trade and Payments Act).

7. Ad nr. 9 g)

The penalties corresponding to this number of the embargo Guidelines are provided for in German statutes on foreign trade and payments. Violations of the sanctions may be punished by administrative fine not to exceed 1 million DM and imprisonment of up to five years. Increasing the prison sentence to up to 15 years is planned within the context of a bill that the Federal Government has presented to the legislature.

III. Publication

The provisions of the Foreign Trade and Payments Ordinance cited above are published and explained in the Federal Gazette (Bundesanzeiger). In addition, the Federal Government maintains constant contact with the associations of German business and industry so as to inform them of the provisions and provide them with assistance in interpreting them.

IV. Conclusion

It may be concluded that German statutes on foreign trade and payments are in line with paragraph 24 of Security Council resolution 687 (1991) in conjunction with the embargo Guidelines. The Federal Government is willing to provide the committee with all of the information it might desire in this connection.

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Security Council

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GENERAL

S/22915
9 August 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 8 AUGUST 1991 FROM THE PERMANENT MISSION OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of India to the United Nations presents its compliments to the Secretary-General and, with reference to the latter's note of 3 July 1991, has the honour to state that the Government of India has been observing the prohibitions contained in the relevant Security Council resolutions, in particular those contained in paragraph 24 of resolution 687 (1991). The authorities concerned in India have been suitably instructed, in accordance with Indian legislation in force, to ensure compliance with the provisions contained in the aforementioned paragraph.

In accordance with the relevant Security Council resolutions, in particular resolutions 661 (1990) and 687 (1991), the Government of India has not entered into any military contracts in any form with Iraq or its agents.

91-25773 2628d (E)

UNITED
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Security Council

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S/22916
9 August 1991
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 6 AUGUST 1991 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 689 (1991), in which the Council approved my report of 5 April 1991 (S/22454), and in particular to its paragraph 13 concerning the strength of the United Nations Iraq-Kuwait Observation Mission (UNIKOM). I also refer to my report of 12 June 1991 to the Council (S/22692), in which I indicated my intention to undertake a further review of UNIKOM's strength and to make appropriate recommendations.

In the course of that review, Major-General Greindl, the Chief Military Observer of UNIKOM, has recommended that the following adjustments be made in the Mission, with a view to achieving greater efficiency and economy:

- reduce the number of military observers from 300 to 250;

- reduce the size of the medical unit;

- consolidate and reassign the tasks performed by the logistic units, with a small reduction in their strength;

- reduce the strength of the engineer unit from the present level of 293 to 85, with a subsequent reduction to 50 after the completion of work in support of the Boundary Demarcation Commission.

I have considered the above recommendations and have found them to be well-based. The situation within UNIKOM's area of operations remains calm, the number of border incidents and violations has decreased and the Mission continues to receive the cooperation of all concerned in the area. The eventual reduction of some 45 per cent in the Mission's strength will produce appreciable financial savings.

Accordingly, it is my intention to approach the troop-contributing countries in order to effect these adjustments as quickly as possible but in such a way as to minimize administrative and personal inconvenience for all

concerned. Needless to say, I will continue to monitor the situation closely and revert, if necessary, to the Council on the question of the Mission's strength.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Javier PEREZ DE CUELLAR

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Security Council

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GENERAL

S/22917
9 August 1991
ENGLISH
ORIGINAL: SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3002nd meeting of the Security Council, held on 9 August 1991, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

"In my capacity as President of the Security Council and on behalf of the members of the Council, I should like to underscore the historic importance of the resolution which we have just adopted recommending the admission of the Federated States of Micronesia to membership in the United Nations. This resolution is without a doubt the logical follow-up to resolution 683 (1990), adopted by the Security Council on 22 December 1990, by which it terminated the trusteeship arrangement for the Territories of Micronesia.

For the Security Council as well as for the Trusteeship Council, and for the United Nations as a whole, this resolution marks the culmination of an effort sustained over decades to enable the peoples of these Territories to take charge of their destiny and assume the place to which they are entitled in the community of nations.

The universality of our Organization is steadily becoming a reality and gaining in significance as more and more of the States which make up the world community are admitted to membership.

The founders of our Organization had precisely that objective in mind, namely the formation of a single, universal entity in which all States would share responsibility for the preservation of international peace and security without distinction as to level of economic development, size of population, military might or any other factor.

The Federated States of Micronesia will make an outstanding contribution to the United Nations by bringing to it an innovative approach and a fresh perspective on world affairs, in order to promote changes in established practices, many of which, as all the Members of the Organization are aware, are in need of renewal.

On behalf of the members of the Security Council, I congratulate the Federated States of Micronesia on the decision which the Council has adopted recommending to the General Assembly its admission to membership in the United Nations."

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GENERAL

S/22918
9 August 1991
ENGLISH
ORIGINAL: SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3003rd meeting of the Security Council, held on 9 August 1991, in connection with the Council's consideration of the item "Admission of new Members", the President of the Security Council made the following statement on behalf of the members:

"The resolution which we have just adopted recommending the admission of the Republic of the Marshall Islands to membership in the United Nations is a historic event. It marks the final steps in the process leading to the full integration of the Republic of the Marshall Islands into the international community, a process that was given an impetus when the Security Council adopted resolution 683 (1990), by which the Council declared that the trusteeship arrangement for the Marshall Islands had come to an end.

The resolution which the Security Council has adopted reconfirms the full validity of the basic ideal of the universality of the United Nations, which calls upon all States - large and small - to help foster peaceful and orderly international coexistence.

We can see today that as the United Nations gains in universality, the specific responsibilities of States are strengthened, as are their rights to participate in the decision-making process in areas of concern to the international community as a whole involving the maintenance of international peace and security and, above all, the promotion of cooperation among peoples.

The admission of the Republic of the Marshall Islands to membership will serve to reaffirm the validity of the principles of the United Nations Charter and to facilitate the achievement of its purposes.

On behalf of the members of the Security Council, I congratulate the Republic of the Marshall Islands on the Council's decision to recommend to the General Assembly that it be admitted as a member of the United Nations."

91-25828 2493i (E)

UNITED
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Security Council

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GENERAL

S/22919
9 August 1991

ORIGINAL: ENGLISH

NOTE VERBALE DATED 8 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Pakistan to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note No. SCPC/7/91/4-1 of 3 July 1991, has the honour to transmit herewith the response of the Government of Pakistan.

I should be grateful if this letter and its annex could be circulated as a document of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent Representative

Annex

Response of the Government of Pakistan to Secretary-General of the United Nations note No. SCPC/7/91/4-1 of 3 July 1991

Upon adoption of Security Council resolution 687 (1991), its contents were brought, under appropriate notification, to the attention of all concerned departments of the Government of Pakistan, for full implementation of provisions contained therein.

Relating specifically to the field of defence, all organizations of the Government of Pakistan functioning under the relevant defence authorities are complying fully with the obligations set out in paragraph 24 of resolution 687 (1991).

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Security Council

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GENERAL

S/22920
9 August 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft continue to violate Iraqi airspace, as follows:

1. American air activity inside Iraqi airspace on 5/6 August 1991 amounted to 10 sorties flown by three two-aircraft formations and four single aircraft at speeds of 600 to 900 kilometres per hour and at altitudes ranging from 4,500 to 17,000 metres.

2. Air activity centred over Mosul, Arbil, Dohuk and Amadiyah for the dual purpose of observation and provocation.

3. At 1425 hours a two-aircraft formation broke the sound barrier over the town of Mosul.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Abul Amir A. AL-ANBARI
Ambassador
Permanent Representative

91-25852 2432c (E)

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Security Council

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GENERAL

S/22921
9 August 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 8 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and with reference to my most recent letter, dated 5 August 1991 and issued as document S/22893, I have the honour to transmit to you herewith a detailed list, by nationality, of persons imprisoned or detained in Iraq; the total number of such persons is 2,479. A copy of this list has been sent to the International Committee of the Red Cross.

1.	Kuwaitis	1,839	
2.	Non-Kuwaitis	462	(of unknown nationality)
3.	Nationals of the United Arab Emirates	2	
4.	Saudis	66	
5.	Syrians	18	
6.	Egyptians	35	
7.	Omanis	2	
8.	Lebanese	14	
9.	Somali	1	
10.	Bahrainis	3	
11.	Filipinos	7	
12.	Indians	13	
13.	Pakistanis	4	
14.	Iranians	12	
15.	Sri Lankan	1	

We request that you do everthing within your power to exert pressure on the Iraqi authorities in order to secure the release of those prisoners and detainees and to put an end to their suffering and that of their families. We hope that all States and international organizations will express in no uncertain terms their resolute condemnation of the inhumane practices of the Iraqi authorities in detaining thousands of Kuwaiti nationals and persons of other countries who are residents of Kuwait.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the Security Council.

(Signed) Mohammed A. ABULHASAN
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/22922
12 August 1991

ORIGINAL: ENGLISH

LETTER DATED 9 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF CANADA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In response to your note SCPC/7/91(4-1) of 3 July 1991, I have the honour to provide the following information regarding the measures taken by the Government of Canada to implement paragraph 4 of Security Council resolution 700 (1991).

(Signed) L. Yves FORTIER, C.C., Q.C.
Ambassador and
Permanent Representative

Annex

Measures taken by the Government of Canada on the implementation of paragraph 24 of resolution 687 (1991)

Paragraph 4 of resolution 700 (1991) of 17 June 1991, requests all States, in accordance with paragraph 8 of the Guidelines, to report to the Secretary-General, on the measures instituted for meeting the obligations set out in paragraph 24 of Security Council resolution 687 (1991). The Government of Canada meets its international obligations pursuant to various Security Council resolutions through the provisions of the United Nations Iraq Regulations (UNIR) made pursuant to Section 2 of the United Nations Act, R.S.C.1985, c. U-2. The Export and Import Permits Act also contains provisions applicable to items identified in paragraph 24 of resolution 687 (1991) and prevents such items from being exported to Iraq.

The UNIR were put in place by Order in Council P.C. 1990-1676 of 7 August 1990 to give effect to resolution 661 (1990) of 6 August 1990. The UNIR were amended by Order in Council P.C. 1990-2158 of 1 October 1990, to give effect to resolution 670 (1990) of 25 September 1990 and further amended by Order in Council P.C. 1991-431 of 6 March 1991 to give effect to resolution 686 (1991) of 2 March 1991. Copies of the relevant legislation and of the UNIR are attached.*

The UNIR as amended:

- impose an embargo on the export of goods to Iraq;
- impose an embargo on the import of goods originating in Iraq that are exported therefrom after 6 August 1990;
- prevent the sale or supply of all goods originating in Iraq that are exported therefrom after 6 August 1990;
- prevent the sale or supply of goods to Iraq;
- freeze Iraqi government assets;
- prevent all Canadians from entering into financial transactions with Iraqi interests;
- prohibit an operator of an aircraft registered in Canada from carrying goods to and from Iraq;

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* Copies of the legislation may be consulted in room S-3520.

- prohibit any person in Canada from operating an aircraft with the knowledge that it is intended that the aircraft concerned will be used to carry goods to and from Iraq;

- prohibit the overflight of Canada by any aircraft that is destined to land in Iraq, unless the aircraft was inspected and it was verified that no goods were being carried on board in contravention of the implementing measures adopted by Member States to give effect to United Nations Security Council resolutions 661 (1990) and 670 (1990); and

- prohibit the entry into Canadian ports of ships registered in Iraq that are or have been used in contravention of the measures against Iraq of United Nations Security Council resolutions 661 (1990) and 670 (1990), except in emergency situations to safeguard human life, and should any such Iraqi ships enter a Canadian port, order the detaining of such ships.

Section 8 of the UNIR provides that every person who contravenes any provision of the UNIR is guilty of an offence and liable to fines or/and imprisonment. Officers, directors or agents of a corporation that is subject to the UNIR are liable if they are involved in the commission of an offence by the corporation.

Subsection 3(2) of the United Nations Act provides that any goods, wares or merchandise dealt with contrary to any order or regulation made under its authority may be seized and detained and are liable to forfeiture at the instance of the Minister of Justice of Canada, on proceedings in the competent court.

Pursuant to section 9 of the UNIR, acts or things that would otherwise constitute an offence are not prohibited if the Secretary of State for External Affairs certifies in advance that:

"(a) the Security Council Resolutions do not intend that such acts or things be prohibited, or

(b) such acts or things have been approved by the United Nations Security Council or the Committee of the Security Council established by United Nations Security Council Resolution 661 (1990) of August 6, 1990."

On the basis of the decision of 22 March 1991, of the Committee of the Security Council, which made a general determination that humanitarian circumstances apply with respect to the entire civilian population of Iraq in all parts of Iraq's national territory and accordingly decided to authorize the supply of foodstuffs to Iraq on a simple notification procedure, the Secretary of State for External Affairs, pursuant to section 9 of the UNIR, on 27 March 1991, issued a General certificate authorizing the following acts with respect of donations of foodstuffs and medical supplies to Iraq: export, transport, shipment or transshipment, carriage by a Canadian ship, carriage by

an aircraft registered in Canada, or carriage by an aircraft operated over the territory of Canada, subject to the prior notification procedure. Since 27 March 1991, proposals for commercial sales of foodstuffs and medical supplies to Iraq are considered on a case-by-case basis. This applies to sales or supply of materials and supplies for essential civilian or humanitarian needs, and related financial transactions, as approved by the Committee under the simplified and accelerated "no-objections" procedure. This decision of the Committee was confirmed by paragraph 20 of resolution 687 (1991) of 3 April 1991.

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NOTE VERBALE DATED 9 AUGUST 1991 FROM THE PERMANENT MISSION OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Bulgaria to the United Nations presents his compliments to the Secretary-General of the United Nations, and with reference to the Secretary-General's note SCPC/7/91 (4-1) of 3 July 1991 related to Security Council resolution 700 (1991), has the honour to transmit the following:

Bulgaria is abiding strictly by all resolutions of the Security Council of the United Nations related to the Persian Gulf crisis and is firmly adhering to the international economic sanctions against Iraq. The Bulgarian Government has already undertaken concrete steps in this respect. The Council of Ministers has issued two decrees (number 90 of 13 August 1991 and number 104 of 22 October 1990) on halting trade, financial operations and transportation links with Iraq mandatory for all Bulgarian organizations and companies. The implementation of the provisions contained therein is monitored by the competent State authorities.

Bulgaria had terminated the sale and supply of arms to Iraq even before 2 August 1990. In implementing the obligations for Member States under resolutions 687 (1991) and 700 (1991), the Government of the Republic of Bulgaria is currently preparing a decree that, after its adoption, would implement in the country's legislation the principles enunciated in paragraphs 24, 25 and 27 of Security Council resolution 687 (1991).

Bulgaria is convinced that the Security Council resolutions on the situation between Iraq and Kuwait will make a substantial contribution to strengthening security and stability in that part of the world, and is prepared to actively assist in their implementation.

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